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THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
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Letter dated 3 May 1999 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General

I wish to refer to the letter addressed to you by the Chargé d'affaires a.i. of the Palestinian Observer Mission, dated 23 April 1999, concerning Palestinian Authority (PA) activity in the Orient House in Jerusalem (A/53/923-S/1999/474).

The Israel-Palestine Liberation Organization (PLO) agreements provide that Jerusalem is an issue for final status negotiations. Under those agreements, PA has no powers and responsibilities in relation to Jerusalem. The Israeli-Palestinian Interim Agreement on the West Bank and the Gaza Strip (Oslo II) also specifically provides that "the offices of the Council, and the offices of its Ra'ees and its Executive Authority and other committees, shall be located in areas under Palestinian territorial jurisdiction in the West Bank and the Gaza Strip" (Interim Agreement, article I: 7). The Interim Agreement, moreover, kept Jerusalem outside any Palestinian territorial jurisdiction. PLO Chairman Yasser Arafat signed the Interim Agreement himself on 28 September 1995 in Washington, D.C.

Furthermore, on 15 January 1997, Arafat personally reconfirmed his commitment to comply with this obligation to refrain from opening offices of the Palestinian Authority, or even permitting PA governmental activity, in Jerusalem. The reconfirmation was, in fact, put in writing in the Note for the Record attached to the Hebron Protocol, which provided that "exercise of Palestinian governmental activity, and location of Palestinian offices, will be as specified in the Interim Agreement".

* A/54/50.

It is for this reason that PA governmental activity at the Orient House, or at any other location outside the areas under Palestinian territorial jurisdiction, constitutes a clear and serious violation of the Israel-PLO agreements. Such activities can in no way be considered the continued provision of social, economic, educational, religious, and cultural services to the Palestinian Arabs of Jerusalem, referred to in the letter of former Israeli Foreign Minister Peres to Norwegian Foreign Minister Holst, and to which Israel has no objection. To the contrary, they are politically motivated, and designed to do exactly that with which the Palestinian spokesmen charge Israel: attempting to change the legal status and character of the city with no legal validity whatsoever, and thereby attempting to prejudge the outcome of the permanent status negotiations.

Israel has no desire to hamper the activities of local organizations that are intended to better the everyday lives of the Palestinian Arabs in Jerusalem; but Israel cannot tolerate repeated violations of undertakings contained in the Israel-PLO agreements and reconfirmed by Mr. Arafat himself. The current peace process can succeed only if the obligations undertaken by the parties are adhered to. Israel, for its part, will continue not only to comply with its own undertakings but also to take whatever measures are necessary to assure compliance by the Palestinian side.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under item 43 of the preliminary list, and of the Security Council.

(Signed) Dore GOLD
Ambassador
Permanent Representative